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**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

ABANTE ROOTER AND PLUMBING) Case No.

INC, individually and on behalf of all)

others similarly situated,) **CLASS ACTION**

)

Plaintiff,) **COMPLAINT FOR VIOLATIONS**

) **OF:**

vs.)

GO ACCREDITED; and DOES 1)
 through 10, inclusive,)

Defendant.)

1. NEGLIGENT VIOLATIONS
 OF THE TELEPHONE
 CONSUMER PROTECTION
 ACT [47 U.S.C. §227(b)]
2. WILLFUL VIOLATIONS
 OF THE TELEPHONE
 CONSUMER PROTECTION
 ACT [47 U.S.C. §227(b)]
3. NEGLIGENT VIOLATIONS
 OF THE TELEPHONE
 CONSUMER PROTECTION
 ACT [47 U.S.C. §227(c)]
4. WILLFUL VIOLATIONS
 OF THE TELEPHONE
 CONSUMER PROTECTION
 ACT [47 U.S.C. §227(c)]

DEMAND FOR JURY TRIAL

1 Plaintiff ABANTE ROOTER AND PLUMBING INC (“Plaintiff”),
2 individually and on behalf of all others similarly situated, alleges the following
3 upon information and belief based upon personal knowledge:

4 **NATURE OF THE CASE**

5 1. Plaintiff brings this action individually and on behalf of all others
6 similarly situated seeking damages and any other available legal or equitable
7 remedies resulting from the illegal actions of Defendant GO ACCREDITED
8 (“Defendant”), in negligently, knowingly, and/or willfully contacting Plaintiff on
9 Plaintiff’s cellular telephone in violation of the Telephone Consumer Protection
10 Act, 47. U.S.C. § 227 *et seq.* (“TCPA”) and related regulations, specifically the
11 National Do-Not-Call provisions, thereby invading Plaintiff’s privacy.

12 **JURISDICTION & VENUE**

13 2. Jurisdiction is proper under 28 U.S.C. § 1332(d)(2) because Plaintiff,
14 a California corporation with its principle place of business also in California, seeks
15 relief on behalf of a Class, which will result in at least one class member belonging
16 to a different state than that of Defendant, a New York company. Plaintiff also
17 seeks up to \$1,500.00 in damages for each call in violation of the TCPA, which,
18 when aggregated among a proposed class in the thousands, exceeds the
19 \$5,000,000.00 threshold for federal court jurisdiction. Therefore, both diversity
20 jurisdiction and the damages threshold under the Class Action Fairness Act of 2005
21 (“CAFA”) are present, and this Court has jurisdiction.

22 3. Venue is proper in the United States District Court for the Central
23 District of California pursuant to 28 U.S.C. § 1391(b)(2) because Defendant does
24 business within the State of California and Plaintiff resides within the County of
25 Alameda.

26 **PARTIES**

27 4. Plaintiff, ABANTE ROOTER AND PLUMBING INC (“Plaintiff”),
28 is a rooting and plumbing business in Emeryville, California and is a “person” as

1 defined by *47 U.S.C. § 153 (39)*.

2 5. Defendant, GO ACCREDITED (“Defendant”), is in the business of
3 providing financial advice, and is a “person” as defined by *47 U.S.C. § 153 (39)*.

4 6. The above named Defendant, and its subsidiaries and agents, are
5 collectively referred to as “Defendants.” The true names and capacities of the
6 Defendants sued herein as DOE DEFENDANT 1 through 10, inclusive, are
7 currently unknown to Plaintiff, who therefore sues such Defendants by fictitious
8 names. Each of the Defendants designated herein as a DOE is legally responsible
9 for the unlawful acts alleged herein. Plaintiff will seek leave of Court to amend the
10 Complaint to reflect the true names and capacities of the DOE Defendants when
11 such identities become known.

12 7. Plaintiff is informed and believes that at all relevant times, each and
13 every Defendant was acting as an agent and/or employee of each of the other
14 Defendant and was acting within the course and scope of said agency and/or
15 employment with the full knowledge and consent of each of the other Defendant.
16 Plaintiff is informed and believes that each of the acts and/or omissions complained
17 of herein was made known to, and ratified by, each of the other Defendant.

18 **FACTUAL ALLEGATIONS**

19 8. Beginning in or around December 1, 2016, Defendant contacted
20 Plaintiff on Plaintiff’s cellular telephone numbers ending in -3803, -5154, -7511,
21 1636, -0106, -5154, 7210 and -6147 in an attempt to solicit Plaintiff to purchase
22 Defendant’s services.

23 9. Defendant contacted or attempted to contact Plaintiff from telephone
24 numbers belonging to Defendant, including without limitation (732) 894-5098,
25 (940) 784-5164, (320) 200-7773, (914) 373-5982, (512) 379-2143, (512) 379-
26 2143, (516) 217-9308, (646) 971-1500, (646) 971-1607, (631) 784-8157,
27 (631)201-0672 and (631) 618-3284.

28 10. Defendant used an “automatic telephone dialing system” as defined

1 by 47 U.S.C. § 227(a)(1) to place its calls to Plaintiff seeking to solicit its services.

2 11. Furthermore, at one or more instance during these calls, Defendant
3 utilized an “artificial or prerecorded voice” as prohibited by 47 U.S.C. §
4 227(b)(1)(A).

5 12. Defendant’s calls constituted calls that were not for emergency
6 purposes as defined by 47 U.S.C. § 227(b)(1)(A).

7 13. Defendant’s calls were placed to telephone number assigned to a
8 cellular telephone service for which Plaintiff incurs a charge for incoming calls
9 pursuant to 47 U.S.C. § 227(b)(1).

10 14. Plaintiff is not a customer of Defendant’s services and has never
11 provided any personal information, including his telephone number, to Defendant
12 for any purpose whatsoever.

13 15. During all relevant times, Defendant did not possess Plaintiff’s “prior
14 express consent” to receive calls using an automatic telephone dialing system or an
15 artificial or prerecorded voice on its cellular telephones pursuant to 47 U.S.C. §
16 227(b)(1)(A).

17 16. Furthermore, Plaintiff’s cellular telephone number ending in -0106, -
18 1636, -1515, -7511 has been on the National Do-Not-Call Registry well over thirty
19 (30) days prior to Defendant’s initial calls.

20 17. Defendant placed multiple calls soliciting its business to Plaintiff on
21 its cellular telephones beginning in or around December 1, 2014.

22 18. Such calls constitute solicitation calls pursuant to 47 C.F.R. §
23 64.1200(c)(2) as they were attempts to promote or sell Defendant’s services.

24 19. Plaintiff received numerous solicitation calls from Defendant within a
25 12-month period.

26 20. Plaintiff requested for Defendant to stop calling Plaintiff during one
27 of the initial calls from Defendant, thus revoking any prior express consent that had
28 existed and terminating any established business relationship that had existed, as

1 defined under 16 C.F.R. 310.4(b)(1)(iii)(B).

2 21. Despite this, Defendant continued to call Plaintiff in an attempt to
3 solicit its services and in violation of the National Do-Not-Call provisions of the
4 TCPA.

5 22. Upon information and belief, and based on Plaintiff's experiences of
6 being called by Defendant after requesting they stop calling, and at all relevant
7 times, Defendant failed to establish and implement reasonable practices and
8 procedures to effectively prevent telephone solicitations in violation of the
9 regulations prescribed under 47 U.S.C. § 227(c)(5).

10 **CLASS ALLEGATIONS**

11 23. Plaintiff brings this action individually and on behalf of all others
12 similarly situated, as a member the four proposed classes (hereafter, jointly, "The
13 Classes"). The class concerning the ATDS claim for no prior express consent
14 (hereafter "The ATDS Class") is defined as follows:

15 All persons within the United States who received any
16 solicitation/telemarketing telephone calls from
17 Defendant to said person's cellular telephone made
18 through the use of any automatic telephone dialing
19 system or an artificial or prerecorded voice and such
20 person had not previously consented to receiving such
21 calls within the four years prior to the filing of this
22 Complaint

23 24. The class concerning the ATDS claim for revocation of consent, to the
24 extent prior consent existed (hereafter "The ATDS Revocation Class") is defined
25 as follows:

26 All persons within the United States who received any
27 solicitation/telemarketing telephone calls from
28 Defendant to said person's cellular telephone made
through the use of any automatic telephone dialing
system or an artificial or prerecorded voice and such

1 person had revoked any prior express consent to receive
2 such calls prior to the calls within the four years prior to
3 the filing of this Complaint.

4 25. The class concerning the National Do-Not-Call violation (hereafter
5 “The DNC Class”) is defined as follows:

6 All persons within the United States registered on the
7 National Do-Not-Call Registry for at least 30 days, who
8 had not granted Defendant prior express consent nor had
9 a prior established business relationship, who received
10 more than one call made by or on behalf of Defendant
11 that promoted Defendant’s products or services, within
12 any twelve-month period, within four years prior to the
13 filing of the complaint.

14 26. The class concerning the National Do-Not-Call violation following
15 revocation of consent and prior business relationship, to the extent they existed
16 (hereafter “The DNC Revocation Class”) is defined as follows:

17 All persons within the United States registered on the
18 National Do-Not-Call Registry for at least 30 days, who
19 received more than one call made by or on behalf of
20 Defendant that promoted Defendant’s products or
21 services, after having revoked consent and any prior
22 established business relationship, within any twelve-
23 month period, within four years prior to the filing of the
24 complaint.

25 27. Plaintiff represents, and is a member of, The ATDS Class, consisting
26 of all persons within the United States who received any solicitation telephone calls
27 from Defendant to said person’s cellular telephone made through the use of any
28 automatic telephone dialing system or an artificial or prerecorded voice and such
person had not previously not provided their cellular telephone number to
Defendant within the four years prior to the filing of this Complaint.

28 28. Plaintiff represents, and is a member of, The ATDS Revocation Class,

1 consisting of all persons within the United States who received any
2 solicitation/telemarketing telephone calls from Defendant to said person's cellular
3 telephone made through the use of any automatic telephone dialing system or an
4 artificial or prerecorded voice and such person had revoked any prior express
5 consent to receive such calls prior to the calls within the four years prior to the
6 filing of this Complaint.

7 29. Plaintiff represents, and is a member of, The DNC Class, consisting
8 of all persons within the United States registered on the National Do-Not-Call
9 Registry for at least 30 days, who had not granted Defendant prior express consent
10 nor had a prior established business relationship, who received more than one call
11 made by or on behalf of Defendant that promoted Defendant's products or services,
12 within any twelve-month period, within four years prior to the filing of the
13 complaint.

14 30. Plaintiff represents, and is a member of, The DNC Revocation Class,
15 consisting of all persons within the United States registered on the National Do-
16 Not-Call Registry for at least 30 days, who received more than one call made by or
17 on behalf of Defendant that promoted Defendant's products or services, after
18 having revoked consent and any prior established business relationship, within any
19 twelve-month period, within four years prior to the filing of the complaint.

20 31. Defendant, their employees and agents are excluded from The
21 Classes. Plaintiff does not know the number of members in The Classes, but
22 believes the Classes members number in the thousands, if not more. Thus, this
23 matter should be certified as a Class Action to assist in the expeditious litigation of
24 the matter.

25 32. The Classes are so numerous that the individual joinder of all of its
26 members is impractical. While the exact number and identities of The Classes
27 members are unknown to Plaintiff at this time and can only be ascertained through
28 appropriate discovery, Plaintiff is informed and believes and thereon alleges that

1 The Classes includes thousands of members. Plaintiff alleges that The Classes
2 members may be ascertained by the records maintained by Defendant.

3 33. Plaintiff and members of The ATDS Class and The ATDS Revocation
4 Class were harmed by the acts of Defendant in at least the following ways:
5 Defendant illegally contacted Plaintiff and ATDS Class members via their cellular
6 telephones thereby causing Plaintiff and ATDS Class and ATDS Revocation Class
7 members to incur certain charges or reduced telephone time for which Plaintiff and
8 ATDS Class and ATDS Revocation Class members had previously paid by having
9 to retrieve or administer messages left by Defendant during those illegal calls, and
10 invading the privacy of said Plaintiff and ATDS Class and ATDS Revocation Class
11 members.

12 34. Common questions of fact and law exist as to all members of The
13 ATDS Class which predominate over any questions affecting only individual
14 members of The ATDS Class. These common legal and factual questions, which
15 do not vary between ATDS Class members, and which may be determined without
16 reference to the individual circumstances of any ATDS Class members, include,
17 but are not limited to, the following:

- 18 a. Whether, within the four years prior to the filing of this
19 Complaint, Defendant made any telemarketing/solicitation call
20 (other than a call made for emergency purposes or made with
21 the prior express consent of the called party) to a ATDS Class
22 member using any automatic telephone dialing system or any
23 artificial or prerecorded voice to any telephone number
24 assigned to a cellular telephone service;
- 25 b. Whether Plaintiff and the ATDS Class members were damaged
26 thereby, and the extent of damages for such violation; and
- 27 c. Whether Defendant and their agents should be enjoined from
28 engaging in such conduct in the future.

1 35. As a person that received numerous telemarketing/solicitation calls
2 from Defendant using an automatic telephone dialing system or an artificial or
3 prerecorded voice, without Plaintiff's prior express consent, Plaintiff is asserting
4 claims that are typical of The ATDS Class.

5 36. Common questions of fact and law exist as to all members of The
6 ATDS Revocation Class which predominate over any questions affecting only
7 individual members of The ATDS Revocation Class. These common legal and
8 factual questions, which do not vary between ATDS Revocation Class members,
9 and which may be determined without reference to the individual circumstances of
10 any ATDS Revocation Class members, include, but are not limited to, the
11 following:

- 12 a. Whether, within the four years prior to the filing of this
13 Complaint, Defendant made any telemarketing/solicitation call
14 (other than a call made for emergency purposes or made with
15 the prior express consent of the called party) to an ATDS
16 Revocation Class member, who had revoked any prior express
17 consent to be called using an ATDS, using any automatic
18 telephone dialing system or any artificial or prerecorded voice
19 to any telephone number assigned to a cellular telephone
20 service;
- 21 b. Whether Plaintiff and the ATDS Revocation Class members
22 were damaged thereby, and the extent of damages for such
23 violation; and
- 24 c. Whether Defendant and their agents should be enjoined from
25 engaging in such conduct in the future.

26 37. As a person that received numerous telemarketing/solicitation calls
27 from Defendant using an automatic telephone dialing system or an artificial or
28 prerecorded voice, after Plaintiff had revoked any prior express consent, Plaintiff

1 is asserting claims that are typical of The ATDS Revocation Class.

2 38. Plaintiff and members of The DNC Class and DNC Revocation Class
3 were harmed by the acts of Defendant in at least the following ways: Defendant
4 illegally contacted Plaintiff and DNC Class and DNC Revocation Class members
5 via their telephones for solicitation purposes, thereby invading the privacy of said
6 Plaintiff and the DNC Class and DNC Revocation Class members whose telephone
7 numbers were on the National Do-Not-Call Registry. Plaintiff and the DNC Class
8 and DNC Revocation Class members were damaged thereby.

9 39. Common questions of fact and law exist as to all members of The
10 DNC Class which predominate over any questions affecting only individual
11 members of The DNC Class. These common legal and factual questions, which do
12 not vary between DNC Class members, and which may be determined without
13 reference to the individual circumstances of any DNC Class members, include, but
14 are not limited to, the following:

- 15 a. Whether, within the four years prior to the filing of this
16 Complaint, Defendant or its agents placed more than one
17 solicitation call to the members of the DNC Class whose
18 telephone numbers were on the National Do-Not-Call Registry
19 and who had not granted prior express consent to Defendant and
20 did not have an established business relationship with
21 Defendant;
- 22 b. Whether Defendant obtained prior express written consent to
23 place solicitation calls to Plaintiff or the DNC Class members'
24 telephones;
- 25 c. Whether Plaintiff and the DNC Class member were damaged
26 thereby, and the extent of damages for such violation; and
- 27 d. Whether Defendant and their agents should be enjoined from
28 engaging in such conduct in the future.

1 40. As a person that received numerous solicitation calls from Defendant
2 within a 12-month period, who had not granted Defendant prior express consent
3 and did not have an established business relationship with Defendant, Plaintiff is
4 asserting claims that are typical of the DNC Class.

5 41. Common questions of fact and law exist as to all members of The
6 DNC Class which predominate over any questions affecting only individual
7 members of The DNC Revocation Class. These common legal and factual
8 questions, which do not vary between DNC Revocation Class members, and which
9 may be determined without reference to the individual circumstances of any DNC
10 Revocation Class members, include, but are not limited to, the following:

- 11 a. Whether, within the four years prior to the filing of this
12 Complaint, Defendant or its agents placed more than one
13 solicitation call to the members of the DNC Class whose
14 telephone numbers were on the National Do-Not-Call Registry
15 and who had revoked any prior express consent and any
16 established business relationship with Defendant;
- 17 b. Whether Plaintiff and the DNC Class member were damaged
18 thereby, and the extent of damages for such violation; and
- 19 c. Whether Defendant and their agents should be enjoined from
20 engaging in such conduct in the future.

21 42. As a person that received numerous solicitation calls from Defendant
22 within a 12-month period, who, to the extent one existed, had revoked any prior
23 express consent and any established business relationship with Defendant, Plaintiff
24 is asserting claims that are typical of the DNC Revocation Class.

25 43. Plaintiff will fairly and adequately protect the interests of the members
26 of The Classes. Plaintiff has retained attorneys experienced in the prosecution of
27 class actions.

28 44. A class action is superior to other available methods of fair and

efficient adjudication of this controversy, since individual litigation of the claims of all Classes members is impracticable. Even if every Classes member could afford individual litigation, the court system could not. It would be unduly burdensome to the courts in which individual litigation of numerous issues would proceed. Individualized litigation would also present the potential for varying, inconsistent, or contradictory judgments and would magnify the delay and expense to all parties and to the court system resulting from multiple trials of the same complex factual issues. By contrast, the conduct of this action as a class action presents fewer management difficulties, conserves the resources of the parties and of the court system, and protects the rights of each Classes member.

45. The prosecution of separate actions by individual Classes members would create a risk of adjudications with respect to them that would, as a practical matter, be dispositive of the interests of the other Classes members not parties to such adjudications or that would substantially impair or impede the ability of such non-party Class members to protect their interests.

46. Defendant have acted or refused to act in respects generally applicable to The Classes, thereby making appropriate final and injunctive relief with regard to the members of the Classes as a whole.

FIRST CAUSE OF ACTION

Negligent Violations of the Telephone Consumer Protection Act

47 U.S.C. §227(b).

On Behalf of the ATDS Class and ATDS Revocation Class

47. Plaintiff repeats and incorporates by reference into this cause of action the allegations set forth above at Paragraphs 1-46.

48. The foregoing acts and omissions of Defendant constitute numerous and multiple negligent violations of the TCPA, including but not limited to each and every one of the above cited provisions of *47 U.S.C. § 227(b)*, and in particular *47 U.S.C. § 227 (b)(1)(A)*.

49. As a result of Defendant's negligent violations of *47 U.S.C. § 227(b)*, Plaintiff and the Class Members are entitled an award of \$500.00 in statutory damages, for each and every violation, pursuant to *47 U.S.C. § 227(b)(3)(B)*.

50. Plaintiff and the ATDS Class and ATDS Revocation Class members are also entitled to and seek injunctive relief prohibiting such conduct in the future.

SECOND CAUSE OF ACTION

Knowing and/or Willful Violations of the Telephone Consumer Protection Act

47 U.S.C. §227(b)

On Behalf of the ATDS Class and the ATDS Revocation Class

51. Plaintiff repeats and incorporates by reference into this cause of action the allegations set forth above at Paragraphs 1-46.

52. The foregoing acts and omissions of Defendant constitute numerous and multiple knowing and/or willful violations of the TCPA, including but not limited to each and every one of the above cited provisions of *47 U.S.C. § 227(b)*, and in particular *47 U.S.C. § 227 (b)(1)(A)*.

53. As a result of Defendant's knowing and/or willful violations of *47 U.S.C. § 227(b)*, Plaintiff and the ATDS Class and ATDS Revocation Class members are entitled an award of \$1,500.00 in statutory damages, for each and every violation, pursuant to *47 U.S.C. § 227(b)(3)(B)* and *47 U.S.C. § 227(b)(3)(C)*.

54. Plaintiff and the Class members are also entitled to and seek injunctive relief prohibiting such conduct in the future.

THIRD CAUSE OF ACTION

Negligent Violations of the Telephone Consumer Protection Act

47 U.S.C. §227(c)

On Behalf of the DNC Class and the DNC Revocation Class

55. Plaintiff repeats and incorporates by reference into this cause of action the allegations set forth above at Paragraphs 1-46.

56. The foregoing acts and omissions of Defendant constitute numerous and multiple negligent violations of the TCPA, including but not limited to each and every one of the above cited provisions of *47 U.S.C. § 227(c)*, and in particular *47 U.S.C. § 227 (c)(5)*.

57. As a result of Defendant's negligent violations of *47 U.S.C. § 227(c)*, Plaintiff and the DNC Class and DNC Revocation Class Members are entitled an award of \$500.00 in statutory damages, for each and every violation, pursuant to *47 U.S.C. § 227(c)(5)(B)*.

58. Plaintiff and the DNC Class and DNC Revocation Class members are also entitled to and seek injunctive relief prohibiting such conduct in the future.

FOURTH CAUSE OF ACTION

Knowing and/or Willful Violations of the Telephone Consumer Protection

Act

47 U.S.C. §227 et seq.

On Behalf of the DNC Class and DNC Revocation Class

59. Plaintiff repeats and incorporates by reference into this cause of action the allegations set forth above at Paragraphs 1-46.

60. The foregoing acts and omissions of Defendant constitute numerous and multiple knowing and/or willful violations of the TCPA, including but not limited to each and every one of the above cited provisions of *47 U.S.C. § 227(c)*, in particular *47 U.S.C. § 227 (c)(5)*.

61. As a result of Defendant's knowing and/or willful violations of *47 U.S.C. § 227(c)*, Plaintiff and the DNC Class and DNC Revocation Class members are entitled an award of \$1,500.00 in statutory damages, for each and every violation, pursuant to *47 U.S.C. § 227(c)(5)*.

62. Plaintiff and the DNC Class and DNC Revocation Class members are also entitled to and seek injunctive relief prohibiting such conduct in the future.

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3 **PRAYER FOR RELIEF**

4 WHEREFORE, Plaintiff requests judgment against Defendant for the following:

5 **FIRST CAUSE OF ACTION**

6 **Negligent Violations of the Telephone Consumer Protection Act**

7 **47 U.S.C. §227(b)**

- 8 • As a result of Defendant's negligent violations of 47 U.S.C.
9 §227(b)(1), Plaintiff and the ATDS Class and ATDS Revocation
10 Class members are entitled to and request \$500 in statutory damages,
11 for each and every violation, pursuant to 47 U.S.C. 227(b)(3)(B).
12 • Any and all other relief that the Court deems just and proper.

13 **SECOND CAUSE OF ACTION**

14 **Knowing and/or Willful Violations of the Telephone Consumer Protection
15 Act**

16 **47 U.S.C. §227(b)**

- 17 • As a result of Defendant's willful and/or knowing violations of 47
18 U.S.C. §227(b)(1), Plaintiff and the ATDS Class and ATDS
19 Revocation Class members are entitled to and request treble damages,
20 as provided by statute, up to \$1,500, for each and every violation,
21 pursuant to 47 U.S.C. §227(b)(3)(B) and 47 U.S.C. §227(b)(3)(C).
22 • Any and all other relief that the Court deems just and proper.

23 **THIRD CAUSE OF ACTION**

24 **Negligent Violations of the Telephone Consumer Protection Act**

25 **47 U.S.C. §227(c)**

- 26 • As a result of Defendant's negligent violations of 47 U.S.C.
27 §227(c)(5), Plaintiff and the DNC Class and DNC Revocation Class
28 members are entitled to and request \$500 in statutory damages, for
each and every violation, pursuant to 47 U.S.C. 227(c)(5).

- Any and all other relief that the Court deems just and proper.

FOURTH CAUSE OF ACTION

Knowing and/or Willful Violations of the Telephone Consumer Protection Act

47 U.S.C. §227(c)

- As a result of Defendant's willful and/or knowing violations of 47 U.S.C. §227(c)(5), Plaintiff and the DNC Class and DNC Revocation Class members are entitled to and request treble damages, as provided by statute, up to \$1,500, for each and every violation, pursuant to 47 U.S.C. §227(c)(5).
- Any and all other relief that the Court deems just and proper.

JURY DEMAND

63. Pursuant to the Seventh Amendment to the Constitution of the United States of America, Plaintiff is entitled to, and demands, a trial by jury.

Respectfully Submitted this 16th Day of September, 2017.

LAW OFFICES OF TODD M. FRIEDMAN, P.C.

By: /s/ Todd M. Friedman
Todd M. Friedman
Law Offices of Todd M. Friedman
Attorney for Plaintiff